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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-0267 PJH
	)	
Plaintiff,	)	STIPULATION AND [ <del>PROPOSED</del> ] ORDER
	)	EXCLUDING TIME
v.	)	
	)	
JUAN ALARCON-BAUTISTA, aka	)	
Ernesto Bautista-Perez, and aka Sergio	)	
Vasques Lucas,	)	
	)	
Defendant.	)	
_____	)	

On May 23, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from May 23, 2007 to July 11, 2007 for effective preparation of counsel. Additionally, the parties represented that granting the continuance was the reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

1 SO STIPULATED:

2 SCOTT N. SCHOOLS  
3 United States Attorney

4 DATED: May 24, 2007

5 /s/  
JULIE A. ARBUCKLE  
Assistant United States Attorney

6 DATED: May 24, 2007

7 /s/  
JOSH COHEN  
8 Attorney for Defendant Juan Alarcon-Bautista

9  
10 As the Court found on May 23, 2007, and for the reasons stated above, the Court finds that  
11 the ends of justice served by the continuance outweigh the best interests of the public and the  
12 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act  
13 calculations from May 23, 2007 to July 11, 2007 for effective preparation of counsel. See 18  
14 U.S.C. §3161(h)(8). The failure to grant the requested continuance would deny counsel  
15 reasonable time necessary for effective preparation, taking into account the exercise of due  
16 diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B).

17 As the Court further ruled on May 23, 2007, Pretrial Services shall prepare a criminal history  
18 report, and shall provide it to counsel and the Court before July 11, 2007 (the next court date in  
19 this case).

20 SO ORDERED.

21 DATED: 5/31/07

